



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Summers et al.

: Group Art Unit: 1653

Serial No. 09/977,137

: Examiner: Not yet assigned

Filed: October 12, 2001

For: METAL BINDING PROTEINS, RECOMBINANT  
HOST CELLS AND METHODS

RESPONSE TO NOTICE TO FILE MISSING PARTS

Commissioner for Patents  
Box Missing Parts  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application Filing Date Granted mailed November 19, 2001 included herewith are:

Check in the amount of \$435.00 (\$370.00 filing fee; \$65.00 surcharge)  
Copy of Formalities Letter (Notice to File Missing Parts)  
Executed Inventors' Declaration in two counterparts  
Paper copy of Sequence Listing (pages 1 - 9)  
Sequence Listing diskette  
Sequence Listing Statement

If the enclosed amount is incorrect, please charge any deficiency or credit any overpayment to Deposit Account No. 07-1969.

Respectfully submitted,

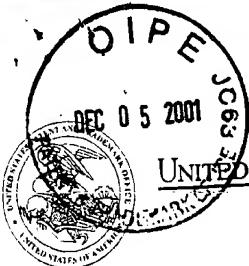
  
Donna M. Ferber  
Reg. No. 33,878

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Attorney Docket No.:79-00  
bmk: December 5, 2001

**CERTIFICATE OF MAILING**  
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as EXPRESS MAIL in an envelope addressed to the United States Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202

*5 December 2001* *B. Kroge*  
Date *B. Kroge*  
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12-10-01

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COMMISSIONER FOR PATENTS  
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#4 *Seeby* *11/19/01*

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/977,137	10/12/2001		79-00

23713  
GREENLEE WINNER AND SULLIVAN P C  
5370 MANHATTAN CIRCLE  
SUITE 201  
BOULDER, CO 80303

CONFIRMATION NO. 2408

## FORMALITIES LETTER



\*OC000000007092257\*

Date Mailed: 11/19/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

2001-10-12 09:57:13 00000030 09977137

370.00 DP  
65.00 DP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.  
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 435.

• A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

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- To Purchase PatentIn Software, call (703) 306-2600
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*BS*

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*A copy of this notice MUST be returned with the reply.*

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